IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicants	:	Mark E. Phillips et al.
Application No.	:	09/975,736
Filed	:	October 10, 2001
For	:	System and Method for Mapping interface Functionality to Codec Functionality in a Portable Audio Device

Examiner	:	O'Neal Rajan Mistry
Art Unit	:	2173
Docket No.	:	35073.003
Date	:	October 9, 2007

APPEAL BRIEF

Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

This appeal is from the decision of the Examiner, in an Office Action, mailed March 9, 2007, finally rejecting claims 1-14.

REAL PARTY IN INTEREST

The real party in interest is Mark E. Phillips, 720 Third Ave., Suite 1100, Seattle, WA 98104.

RELATED APPEALS AND INTERFERENCES

Applicants' representative has not identified, and does not know of, any other appeals of interferences which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

STATUS OF CLAIMS

Claims 1-14 are pending in the application. Claims 1-14 were finally rejected in the Office Action dated March 9, 2007. Applicants' appeal the final rejection of claims 1-14, which are copied in the attached CLAIMS APPENDIX.

STATUS OF AMENDMENTS

An Amendment After Final is enclosed with this brief. The last Response was filed May 4, 2006.

SUMMARY OF CLAIMED SUBJECT MATTER

Independent Claim 1

Claim 1 relates to a system for the control of display data in a hand-held portable media device. (Current Application, page 3, lines 16-20) The system includes: (1) a housing (150 in Figure 1) sized to be held by a user; (2) a circuit board (Current Application, page 8, lines 17-19) within the housing; (3) a battery power supply (132 in Figure 1) to provide electrical power to the circuit board; (4) a display (108 in Figure 1) electrically coupled to the circuit board; (5) a data structure (Current Application, page 7, lines 22-28) to store digital data having a predetermined data format based on a data type of the digital data; (6) a processor (102 in Figure 1) to analyze the digital data and to determine the data type based on the digital data format; (7) a plurality of CODECs to process the digital data and to convert the digital data to audio data, the processor selecting one of the plurality of CODECs based on the data type (Current Application, page 8, lines 10-16); and (8) a plurality of display managers to control display of data, the processor selecting one of the display managers based on the data type wherein the selected CODEC and the selected display manager are both selected on the basis of data type.

Independent Claim 2

Claim 2 is directed to a system for the control of display data in a portable media device. (Current Application, page 3, lines 16-20) The system includes: (1) a data structure (Current Application, page 7, lines 22-28) to store digital data having a predetermined data format based on a data type of the digital data; (2) a first CODEC (114 in Figure 1) to receive digital data from the data structure and to convert the digital data to audio

data for connection to an audio output device; (3) a display (108 in Figure 1) electrically coupled to the circuit board; and (4) a processor (102 in Figure 1) to analyze the digital data and to determine the data type, the processor communicating with the display and formatting display data to generate a display, for viewing by a user, based on the data type wherein display information is varied based on data type of digital data being received by the CODEC.

Dependent Claims 3-6

Dependent claim 3 is directed to the system of claim 2, further comprising an input device (110 in Figure 1) operable by the user to enter instructions. Dependent claim 4 is directed to the system of claim 2, further comprising a touch-sensitive input device (Current Application, page 4, lines 20-21) positioned proximate the display and operable in conjunction with the display, the touch-sensitive device being operable by the user to enter instructions. Dependent claim 5 is directed to the system of claim 4 wherein the display and touch-sensitive input device (Current Application, page 4, lines 20-21) are programmable, the processor configuring the display to have a first configuration based on a first data type and a second configuration based on a second data type (Current Application, page 12, line 23 to page 13, line 5). Dependent claim 6 is directed to the system of claim 2 wherein the first CODEC is optimized for conversion of digital data of a first data type, the system further comprising a second CODEC optimized for conversion of digital data of a second data type, the processor selecting the first or second CODEC to convert the digital data to audio data based on the data type (Current Application, page 8, lines 10-16 and page 5, lines 1-25).

Independent Claim 7

Claim 7 is directed to a method of selecting a CODEC from a plurality of CODECs. (Current Application, page 8, lines 10-16) The method includes: (1) sensing user operation of an input device to select a data file (Current Application, page 9, line 24 to page 10. line 10); (2) determining a data type of the selected data file (412 in Figure 13); (3) selecting a CODEC from a plurality of CODECs based upon the data type (Current Application, page 20, line 25 to page 28, line 7); (4) processing the digital data using the selected CODEC (Current Application, page 20, line 25 to page 28, line 7); and (5) displaying data in a predetermined format selected for proper operation of the selected CODEC (Current Application, page 20, line 25 to page 28, line 7).

Dependent Claims 8-10

Dependent claim 8 is directed to the method of claim 7 wherein the display provides a user with command controls and displaying data in a predetermined format comprises displaying command controls for operation with the selected CODEC (Current Application, page 20, line 25 to page 28, line 7). Dependent claim 9 is directed to the method of claim 7 wherein a first CODEC of the plurality of CODECs is optimized for processing digital data of a first data type and a second CODEC optimized for processing digital data of a second data type and selecting a CODEC comprises selecting the first or second CODEC to process the digital data based on the data type (Current Application, page 20, line 25 to page 28, line 7). Dependent claim 10 is directed to the method of claim 9 wherein the display provides a user with command controls and displaying data comprises displaying data and command controls having a first predetermined format when the first CODEC of the plurality of CODECs is selected and displaying data and command controls having a second predetermined format when the second CODEC of the plurality of CODECs is selected (Current Application, page 20, line 25 to page 28, line 7).

Independent Claim 11

Claim 11 is directed to a computer-readable media that causes a processor to select a CODEC from a plurality of CODECs (Current Application, page 8, lines 10-16) by performing the steps of: (1) sensing user operation of an input device to select a data file (Current Application, page 9, line 9 to page 12, line 22); (2) determining a data type of the selected data file; (3) selecting a CODEC from a plurality of CODECs based upon the data type (Current Application, page 20, line 25 to page 28, line 7); (4) processing the digital data using the selected CODEC; and (5) displaying data in a predetermined format selected for proper operation of the selected CODEC (Current Application, page 20, line 25 to page 28, line 7).

Dependent Claims 12-14

Dependent claim 12 is directed to the computer-readable media of claim 11 wherein the display provides a user with command controls and displaying data in a predetermined format comprises displaying command controls for operation with the selected CODEC (Current Application, page 20, line 25 to page 28, line 7). Dependent claim 13 is

directed to the computer-readable media of claim 11 wherein a first CODEC of the plurality of CODECs is optimized for processing digital data of a first data type and a second CODEC optimized for processing digital data of a second data type and selecting a CODEC comprises selecting the first or second CODEC to process the digital data based on the data type. (Current Application, page 20, line 25 to page 28, line 7). Dependent claim 14 is directed to the computer-readable media of claim 11 wherein the display provides a user with command controls and displaying data comprises displaying data and command controls having a first predetermined format when the first CODEC of the plurality of CODECs is selected and displaying data and command controls having a second predetermined format when the second CODEC of the plurality of CODECs is selected (Current Application, page 20, line 25 to page 28, line 7).

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1.   The rejection of claims 1-14 under 35 U.S.C. § 102(e) as being anticipated by Chung, U.S. Patent No. 6.628,963 B1 ("Chung").

ARGUMENT

Claims 1-14 are pending in the current application. In an office action dated March 9, 2007 ("Office Action"), the Examiner rejected claims 3-5 under 35 U.S.C. § 112, second paragraph and rejected claims 1-14 under 35 U.S.C. §102(e) as being anticipated by Chung et al., U.S. Patent No. 6,628,963 ("Chung"). In an Amendment After Final that accompanies this Appeal Brief, Appellant's representative has addressed the rejection of claims 3-4 under 35 U.S.C. § 112, second paragraph. The rejection of claim 5 under 35 U.S.C. § 112, second paragraph, was not explained in the Office Action. Appellant respectfully traverses the 35 U.S.C. §102(e) rejection of claims 1-14.

ISSUE 1

1.   Whether claims 1-14 are anticipated by Chung.

The current application is directed to a portable digital audio device that, upon selection of a data file for play by a user, selects a proper data processing mode and display

based on the type of data file selected. The system selects an appropriate coder/decoder ("CODEC") from a plurality of CODECs maintained within the system for conversion of a digital data stream, generated by decompressing a selected digital audio file, into an analog signal that can be output through speakers or other electromechanical means for generating sound waves from an electrical signal. CODECs are described in the current application beginning on line 1 of page 5. Selection of a CODEC, from a plurality of available CODECs, appropriate for a particular data file based on the type of the data file is introduced on lines 10-16 of page 8 of the current application. Beginning on line 25 of page 20 of the current application, a media interface manager ("MIM") and a CODEC manager are described. An interface manager is responsible for loading 'skins,' which are the visible portion of the system that is viewed and operated by a user. The interface manager is also responsible for displaying and updating controls on the touch-sensitive display and sending messages about controls, such as button clicks, and the movement of the scroll bar to the MIM. Beginning on line 3 of page 23 of the current application, the current application states that, although illustrated in Figure 12 as a single MIM, the system typically instantiates a MIM for each CODEC type. Corresponding to these sections of the current application, claim 1 includes the element "a plurality of display managers to control display of data, the processor selecting one of the display managers based on the data type wherein the selected CODEC and the selected display manager are both selected on the basis of data type." Claim 2 includes the element "a processor to analyze the digital data and to determine the data type, the processor communicating with the display and formatting display data to generate a display based on the data type wherein display information is varied based on data type of digital data being received by the CODEC." Claims 7 and 11 include the elements "selecting a CODEC from a plurality of CODECs based upon the data type" and "displaying data in a predetermined format selected for proper operation of the selected CODEC." The current application discusses, beginning on line 25 of page 20, MIMs, CODEC managers, and skins. Beginning on line 12 of page 26, the current application discusses that a proper MIM, CODEC, and skin need to be selected for rendering a particular data file based on a data type gleaned from the data type. The MIM, skin, and CODEC effectively determine the predetermined format discussed in the above-quoted element of claim 7.

As stated in MPEP § 2131, and in many different Federal circuit opinions:

"[a] claim is anticipated only if each and every element as set forth in
the claim is found, either expressly or inherently described, in a single

prior art reference." *Verdegaal Bros. v. Union Oil CO. of California,*
814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The
identical invention must be shown in as complete detail as is contained
in ... claim." *Richardson v. Suzuki Motor Co.,* 868 F.2d 1226, 1236, 9
USPQ2d 1913, 1920 (Fed. Cir. 1989).

Thus, to anticipate a claim, a reference must explicitly teach that to which the claim is directed, with relatively small gaps in the teaching permissible, and referred to as inherent teachings, as long as the gaps can be filled by "the common knowledge of technologists," particularly when evidence of the inherency of the gaps in an explicit teaching is supplied, as discussed in MPEP § 2131.01(III). As discussed below, Chung fails to teach or disclose claim elements of all of the independent claims of the current application. The gaps in Chung's disclosure, with respect to the current claims, are canyon-like in size and breadth, and cannot possible be considered inherent teachings. Moreover, Chung does not provide an even remotely enabling discussion or description of clearly claimed aspects of the present invention.

Chung provides an extremely short disclosure of a proposed portable multimedia player, with two figures illustrating the external appearance of the portable multimedia player and a single figure, Figure 3, showing an extremely high-level block diagram for the proposed portable multimedia player. Figure three shows a single CODEC-like block (60 in Figure 3) and an audio-CODEC mixing section (80 in Figure 3) that receives analog audio signals from the CODEC-like block, a CD-ROM control section (42 in Figure 3), and a MODEM (70 in Figure 3). The entire disclosure related to these components is included in a few paragraphs of column 2 and column 3 of Chung, relevant portions of which are provided below:

A modem 70 is added to the portable multimedia player to communicate with external equipment. (lines 44-45 of column 2)

A multimedia control section 20, which controls the overall operation of the portable multimedia player, includes a CPU 24, a general control logic circuit 22, a memory 26, and a system ROM 28. Control program stored in the system ROM 28 controls both the overall operation of the portable multimedia player and performs a general communication function through the portable phone section 10. (lines 49-56 of column 2)

A CD player 40, which includes a CD-ROM driver 44 and a CD-ROM controller, reproduces diverse types of CD media.
A MPEG data processor 60, which includes an MPEG video section 64 and an MPEG audio section 62, processes an audio signal and a video signal according to a

reproduction of a moving picture. An audio data outputted from the MP3 section 62 is applied to a digital-analog converter (DAC) 66 which converts the applied audio signal into an analog signal. The digital-analog converter (DAC) 66 supplies the converted signal to an audio codec missing section 80, and then, a voice outputting section 90 which outputs a stereo audio signal to the outside. The audio codec mixing section may be configured selectively. (line 63 of column 2 to line 5 of column 3)

In the Summary-of-the-Invention section of Chung, Chung states:

... a MPEG data processing section adapted to process a MPEG-1 video signal and a MP3 audio signal from a file stored in the CD player section or the multimedia control section and to convert the MP3 audio digital signal into an analog signal to output the converted signal to the outside; a image outputting section adapted to display a video signal applied thereto from the MPEG data processing section and multimedia information of current status on a LCD screen; and an audio codec mixing section adapted to output the audio signal applied from the MPEG data processing section as a stereo audio signal to the outside through a voice outputting section. (lines 45-57 of column 1)

This is pretty much the entire disclosure related to the internal components of the proposed multimedia player.

Independent claim 1 of the current application includes the element "a plurality of CODECs to process the digital data and to convert the digital data to audio data, the processor selecting one of the plurality of CODECs based on the data type." There is absolutely no mention, in Chung, of multiple CODECs. The only CODEC mentioned is the functionality represented by block 60 in Figure 3 of Chung. There is absolutely no mention in Chung that the processor (24 in Figure 3) selects a CODEC, or selects anything else, depending on the type of a data file. Chung describes the processor operation in a single sentence in the above quoted portion of Chung. Furthermore, inspection of Figure 3 reveals that, *even if there were, for example, a CODEC in CD-ROM control section 42, the processor would not select it, based on a data file type. The processor appears only to have access to an analog audio signal produced by the CD-ROM control section, the modem 70, or the CODEC-like block 60.* There appears to be no possibility for CODEC selection by the CPU in Chung's proposed portable multimedia player, because the CODEC, if present in a component, such as the CD-ROM control section, has already carried out its task before the processor sees the analog audio signal. CODEC selection would be made by input of a particular type of information-storing medium, such as a CD. Furthermore, Chung does not once indicate that any type audio file is stored in Chung's proposed portable multimedia player other than an MP3 file. Chung twice explicitly states that the CD player section stores

MP3 audio files (lines 15-17 of the Abstract of Chung; lines 46-49 of column 1, quoted above). Chung does mention MPEG-1 video-signal files, but, as is well known to anyone familiar with video and audio encoding, MP3 is the encoding used for the audio-signal portion of a video signal encoded in MPEG-1. MP3 is a subset of MPEG-1. Chung does not teach, mention, or even remotely suggest the presence of data files having different types, multiple CODECs, and a selection of a particular CODEC to apply to a particular data file based on the type of the data file.

Independent claim 2 of the current application includes the element "a processor to analyze the digital data and to determine the data type, the processor communicating with the display and formatting display data to generate a display, for viewing by a user, based on the data type wherein display information is varied based on data type of digital data being received by the CODEC." As discussed above, Chung does not teach, mention, or suggest multiple data types for digital data, or any processor operation related to data files or data-file-types. All that Chung discloses concerning the CPU in Chung's proposed portable media player is the implication that the CPU runs a "[c]ontrol program stored in the system ROM 28 [that] controls both the overall operation of the portable multimedia player and performs a general communication function through the portable phone section" This statement contains nothing that would allow anyone to infer that Chung's proposed portable multimedia player has any capability of distinguishing between different types of digital data files. *Furthermore, Chung does not once mention or suggest any operation in which display data is formatted, and does not teach, mention, or suggest differently formatting display data based on the type of data file from which the display data is obtained.* Chung mentions only MPEG-1 encoded files.

Independent claims 7 and 11 of the current application include both the element "selecting a CODEC from a plurality of CODECs based upon the data type" and the element "displaying data in a predetermined format selected for proper operation of the selected CODEC." For the same reasons that claims 1 and 2 cannot possibly be anticipated by Chung, claims 7 and 11 cannot possibly be anticipated by Chung. Because none of the independent claims of the current application are anticipated by Chung, none of the claims, including claims that depend from these four independent claims, can be anticipated by Chung.

The Examiner states, in the Office Action:

Significantly in Chung, the "digital data" that is accessed may be from a diversity of

sources: the present invention has advantages in that audio equipment, video equipment, an electronic pocketbook, an alarm, a communications device, a voice recorder are integrated in function by one multimedia player (col 3, lines 32-38). Chung describes in detail the access of such "data" from online and CD sources (col 1, lines 40-41), and that for a CD player, a CD-ROM driver to reproduce a CD media is employed (something that would not be used in a downloaded MP3 files). The diversity of sources and their accompanying specialized interfaces to the source media (e.g., CD vs online) means that when "digital data" is accessed, the request must be followed by a determination of "a data type of the digital data", which in turn drives the selection of "one of the plurality of CODECs based on the data type". See also claims 6, 9, 10, 13, 14 on this matter of plural "CODECs".

The statement is essentially entirely conclusory, and is based neither on Chung's disclosure nor on elementary logic. While the Examiner feels that a CD-ROM driver would not process MP3 files, Chung twice explicitly states that Chung's proposed multimedia device player decodes MP3 files stored on CD-ROM and in the MP3 audio section. Chung does not teach, mention, or suggest any other type of digital data in the disclosure. *As discussed above, even were the CD-ROM player to implicitly include another type of CODEC, which is not taught or suggested by Chung, the processor in Chung's proposed multimedia device player would not be in a position to select that CODEC with respect to a data-file type, because the processor appears to receive only an analog audio signal from the CD-ROM control section.* The CD-ROM player would use the internal CODEC as a matter of course. Nothing in Chung suggests that the CD-ROM player would communicate with the processor to allow the processor to select a CODEC to apply to data stored in the CD ROM. Furthermore, a CODEC is not generally employed to convert online data to an analog audio signal. A web browser, for example, displays a digital photograph by passing digital data to an underlying operating system for transfer to a video card for display. The Examiner is entirely incorrect in stating that the "diversity of sources and their accompanying specialized interfaces to the source media (e.g., CD vs online) means that when "digital data" is accessed, the request must be followed by a determination of "a data type of the digital data", which in turn drives the selection of "one of the plurality of CODECs based on the data type." If each component of a media player were devoted specifically to a different type of digital data, and each component of a portable multimedia player were to receive the digital data and produce an analog output signal for rendering by a portable multimedia player, then there would be no need to select a CODEC based on the type of digital data. Figure 3 of Chung indicates that, in fact, Chung has considered only a single type of data file for internal processing. Were

other types of digital data stored on a CD, the CD ROM control section would presumably decode the data using an internal CODEC. But, there would be no need for Chung's CPU to involve itself in choosing a CODEC for the CD ROM control section to use, and Chung does not even remotely suggest that the CPU is involved in such CODEC selection. However, as discussed above, Chung explicitly states that Chung's proposed portable multimedia player decodes only MPEG-1, of which MP3 is a subset.

The Examiner states, in the Office Action:

> The various user interfaces obtained in Chung are examples of "display of data", and in a format established by "the data type". Thus, in implementing the final display in Chung, "a plurality of display managers" must follow the "CODECs".

There is no rational basis for this statement. Nothing in Chung suggests differently formatting data depending on the type of digital data. It does not even remotely logically follow that, if a device displays a user interface, the device is differently formatting user-interface data depending on underlying data-file types. The Examiner again draws a completely unfounded conclusion that "a plurality of display managers must follow the CODECs," when, in fact, Chung does not teach, mention, or suggest even a single display manager, and mentions only a single CODEC.

The Examiner states, in the Office Action:

> Independent claim 2 is basically a re-statement of what appears in claim 1, but without "housing", "circuit board" and "battery power supply". The "data type" in this claim is used for "formatting display data to generate a display based on the data type". However, it can also be said that a "formatting" must take place to access the data stream of Chung, where individual "audio" sources are obtained in their own formats, and thus with their own "CODEC" and "display" formatting.

Again, nothing in this statement appears to be based on Chung's disclosure, and the conclusions made by the Examiner are simply illogical. No formatting must take place if various electronic components within Chung's proposed portable media player were all to produce analog audio signals that can be rendered by the audio codec mixing section (80 in Figure 3). The processor in Chung's proposed portable media player would not even need to be involved, and only the particular analog audio signal, rather than the type of digital data from which the analog audio signal was produced, would need be considered by the audio codec mixing section. Chung does not once mention or suggest any kind of differential formatting.

The Examiner states, in the Office Action:

As per the "input device" of claim 3, see the interactive interface appearing in Chung's col. 1 lines 41-46. A "touch-sensitive device" as per claim 4 is suggested by the alternatives for input devices as is given at col. 3, lines 28 - 31, where display-based controls would have a possible "first configuration" and "second configuration" "based on ... type", as in claim 5.

Independnent claim 7 (and see also independent claim 11) merely has a "method of selecting a CODEC" via "user operation", with a result of "displaying data in a predetermined format selected for proper operation", only as has been discussed above, Chung also does this, in rendering from diverse sources.

Claim 8's "command controls for operation with the selected CODEC" are further to be expected in Chung, where the individual sources need their user control to be useful. A similar line of reasoning applies to claim 12.

Again, Chung does not suggest a "first configuration" and a "second configuration," and there is absolutely no reason for the Examine to assume that Chung would use display-based controls "where display-based controls would have a possible 'first configuration' and 'second configuration' 'based on ... type'." The Examiner's statement is simply an unsupported conclusion. No conclusion as to the internal operation of Chung's proposed portable media player can be made based on "diverse sources," as discussed above. Even were Chung to teach, mention, or suggest processing of different types of digital data, there is absolutely no reason to assume that Chung's processor would select a CODEC for each data file based on the type of data file. Instead, it is more logical to assume that each different component, such as a CD player, would have an internal CODEC that would be automatically applied to generate an audio analog signal, since the CODEC would effectively be selected by the input medium, such as a CD disk. Chung's disclosure does not teach, mention, or suggest anything at all related to selection of a CODEC, multiple CODECs, or any specific operation performed by Chung's processor. The Examiner's conclusions are unjustified and baseless.

Finally, as the Examiner must surely realize, an anticipating reference must contain an enabling description of the subject matter that is proposed to anticipate a claim. "A claimed invention cannot be anticipated by a prior art reference if the allegedly anticipatory disclosures cited as prior art are not enabled." Amgen, Inc. v. Hoechst Marion Roussel, Inc., 314 F.3d 1313, 1354, 65 USPQ2d 1385, 1416 (Fed. Cir. 2003). See Bristol-Myers Squibb v. Ben Venue Laboratories, Inc., 246 F.3d 1368, 1374, 58 USPQ2d 1508, 1512 (Fed. Cir. 2001) ("To anticipate the reference must also enable one of skill in the art to make and use the claimed invention."); PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d

1558, 1566, 37 USPQ2d 1618, 1624 (Fed. Cir. 1996) ("To anticipate a claim, a reference must disclose every element of the challenged claim and enable one skilled in the art to make the anticipating subject matter."). Chung contains only a handful of very general statements about a high-level block diagram for a proposed multimedia player. Even were the Examiners completely unjustified conclusion, without any support from Chung's disclosure, deemed to be correct, Chung, having not even mentioned differential formatting, multiple CODECs, determining digital data types, and selecting a particular formatting and a particular CODEC based on the type of digital data file to be processed, could not possibly be considered to have enabled any of these unmentioned operations.

CONCLUSION

The Examiners rejects of claims 1-14 are based entirely on conclusions made by the Examiner with regard to the cited reference, Chung, rather than based on any teaching, disclosure, or suggestion contained in Chung. Chung not only fails to teach, mention, or even remotely suggest elements of the current claims, but is not even remotely enabling for the conclusions drawn by the Examiner. Anticipation under 35 U.S.C. § 102 is based primarily on the teachings included in an anticipating reference. Chung does not teach, mention, or even suggest multiple CODECs, multiple types of digital-data files, or any CPU operation that is based on determining the type of a digital-data file.

Applicants respectfully submit that all statutory requirements are met and that the present application is allowable over all the references of record. Therefore, Applicants respectfully request that the present application be passed to issue.

Respectfully submitted,
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CLAIMS APPENDIX

1. A system for the control of display data in a hand-held portable media device, the system comprising:

a housing sized to be held by a user;

a circuit board within the housing;

a battery power supply to provide electrical power to the circuit board;

a display electrically coupled to the circuit board;

a data structure to store digital data having a predetermined data format based on a data type of the digital data;

a processor to analyze the digital data and to determine the data type based on the digital data format;

a plurality of CODECs to process the digital data and to convert the digital data to audio data, the processor selecting one of the plurality of CODECs based on the data type; and

a plurality of display managers to control display of data, the processor selecting one of the display managers based on the data type wherein the selected CODEC and the selected display manager are both selected on the basis of data type.

2. A system for the control of display data in a portable media device, the system comprising:

a data structure to store digital data having a predetermined data format based on a data type of the digital data;

a first CODEC to receive digital data from the data structure and to convert the digital data to audio data for connection to an audio output device;

a display electrically coupled to the circuit board; and

a processor to analyze the digital data and to determine the data type, the processor communicating with the display and formatting display data to generate a display, for viewing by a user, based on the data type wherein display information is varied based on data type of digital data being received by the CODEC.

3. The system of claim 2, further comprising an input device operable by the user to enter instructions.

4. The system of claim 2, further comprising a touch-sensitive input device positioned proximate the display and operable in conjunction with the display, the touch-sensitive device being operable by the user to enter instructions.

5. The system of claim 4 wherein the display and touch-sensitive input device are programmable, the processor configuring the display to have a first configuration based on a first data type and a second configuration based on a second data type.

6. The system of claim 2 wherein the first CODEC is optimized for conversion of digital data of a first data type, the system further comprising a second CODEC optimized for conversion of digital data of a second data type, the processor selecting the first or second CODEC to convert the digital data to audio data based on the data type.

7. A method of selecting a CODEC from a plurality of CODECs, the method comprising:

sensing user operation of an input device to select a data file;

determining a data type of the selected data file;

selecting a CODEC from a plurality of CODECs based upon the data type;

processing the digital data using the selected CODEC; and

displaying data in a predetermined format selected for proper operation of the selected CODEC.

8. The method of claim 7 wherein the display provides a user with command controls and displaying data in a predetermined format comprises displaying command controls for operation with the selected CODEC.

9. The method of claim 7 wherein a first CODEC of the plurality of CODECs is optimized for processing digital data of a first data type and a second CODEC optimized for processing digital data of a second data type and selecting a CODEC comprises selecting the first or second CODEC to process the digital data based on the data type.

10. The method of claim 9 wherein the display provides a user with command controls and displaying data comprises displaying data and command controls having a first predetermined format when the first CODEC of the plurality of CODECs is selected and displaying data and command controls having a second predetermined format when the second CODEC of the plurality of CODECs is selected.

11. A computer-readable media that causes a processor to select a CODEC from a plurality of CODECs by performing the steps of:

sensing user operation of an input device to select a data file;

determining a data type of the selected data file;

selecting a CODEC from a plurality of CODECs based upon the data type;

processing the digital data using the selected CODEC; and

displaying data in a predetermined format selected for proper operation of the selected CODEC.

12. The computer-readable media of claim 11 wherein the display provides a user with command controls and displaying data in a predetermined format comprises displaying command controls for operation with the selected CODEC.

13. The computer-readable media of claim 11 wherein a first CODEC of the plurality of CODECs is optimized for processing digital data of a first data type and a second CODEC optimized for processing digital data of a second data type and selecting a CODEC comprises selecting the first or second CODEC to process the digital data based on the data type.

14. The computer-readable media of claim 11 wherein the display provides a user with command controls and displaying data comprises displaying data and command controls having a first predetermined format when the first CODEC of the plurality of CODECs is selected and displaying data and command controls having a second predetermined format when the second CODEC of the plurality of CODECs is selected.

EVIDENCE APPENDIX

None.

RELATED PROCEEDINGS APPENDIX

None.